



# Washington State Department of Agriculture News Release

For immediate release: Jan. 19, 2011 (11-03)

Contact: Mike Louisell (360) 902-1813

WASHINGTON STATE DEPARTMENT OF AGRICULTURE

P.O. Box 42560, Olympia, Washington 98504-2560

Visit our Web site at: [agr.wa.gov](http://agr.wa.gov)

## **Agriculture Department issues fines for pesticide violations**

*4<sup>th</sup> quarter investigations found sales of unregistered pesticides and unlicensed employees*

**OLYMPIA** – The Washington State Department of Agriculture (WSDA) issued fines totaling \$21,400 and imposed license suspensions during the fourth quarter of 2010 for violations of state pesticide laws and rules. Fines ranged from \$350 to \$8,000 for incidents that involved drifting pesticides onto a school bus that was occupied by children, cheating on a pesticide exam and sales of unregistered pesticides.

WSDA completed investigations that occurred in Douglas, Franklin, Grant, King, Lincoln and Thurston counties. Summaries of the investigation findings below are generally arranged by county. Fines or license suspensions were issued to:

Kevin Johnson, East Wenatchee. WSDA alleged that a pesticide application that Johnson made to his pear orchard in March 2010 drifted onto a passing school bus occupied by children. Neither the bus driver nor any of the children reported ill effects from the exposure. The matter was resolved when Johnson agreed to pay \$350 and accept a seven-day suspension of his pesticide license.

Wally Huppert and Carr Farms, LLC, Pasco, were fined \$1,800 after an inspection in July 2010 found violations of pesticide worker protection standards. Farm management allowed workers to enter pesticide-treated areas before entry was permitted according to the pesticide label requirements. They also failed to provide all of the required decontamination supplies for pesticide handlers.

Felipe Moreno, Othello. WSDA alleged that Moreno cheated on a pesticide exam that he took at a Royal City exam session in April 2010. The matter was resolved when Moreno paid \$500. Moreno is also prohibited to apply for a pesticide license for two years.

Darin Campbell and Brickman, a landscape installation and maintenance company headquartered in Redmond. WSDA alleged that Brickman personnel, through its operations in Redmond, Renton, Puyallup and Vancouver, made up to 185 pesticide applications in 2009 with unlicensed employees. The matter was resolved when Campbell and Brickman agreed to pay \$8,000 and accept a two-day license suspension.

Amar Grewal, Natura Products, Inc, Maple Ridge, British Columbia. WSDA alleged that Grewal sold unregistered pesticides, including deer repellant products, to the Lincoln County Conservation District in April of 2009. In addition to violations cited for this illegal distribution, WSDA alleged that Grewal violated a settlement agreement which suspended a portion of a previous penalty contingent on his compliance with state law. The matter was resolved when Grewal agreed to pay \$4,750.

James Mitchell, IPM Pest Management Services, Olympia. WSDA alleged that Mitchell continued to operate his pest control business without a license during the summer of 2010 after being warned to get

MORE

licensed earlier in the year. Mitchell also failed to keep the proper pesticide application records for his operation. The matter was resolved when Mitchell agreed to pay \$6,000.

**Penalty matrix used by WSDA to levy fines and suspensions**

A penalty matrix is used to ensure penalties are uniform and fair. The matrix takes into account the seriousness of the violation, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Larger penalties often reflect repeat offenses or multiple violations within the same incident.

WSDA enforces state and federal laws to protect people, property and the environment against the improper use of pesticides. Staff also provides technical assistance to the pesticide industry and consumers, and enforces the rules on structural inspections for wood destroying organisms, such as wood rot, carpenter ants or termites. The agency registers more than 11,000 pesticide products, licenses about 22,000 pesticide applicators, dealers, consultants and structural pest inspectors.

For more information on pesticide compliance and licensing, go to the WSDA website at [agr.wa.gov/Portals/PF/](http://agr.wa.gov/Portals/PF/) or call (877) 301-4555.

###